

26. (Original) The system of claim 22, wherein escalating the bug comprises ranking the bug and setting an order of significance.
27. (Cancelled)
28. (Cancelled)
29. (Cancelled)
30. (Original) An apparatus for rating a bug, comprising:
 - means for reporting the bug to a business entity by an interested party;
 - means for entering information regarding the bug into a database;
 - means for assigning a priority number for the bug;
 - means for calculating a sigma number for the bug using the priority number;
 - means for evaluating the bug to be fixed using the sigma number; and
 - means for escalating the bug.

REMARKS

Please reconsider the application in view of the following remarks. Applicant thanks the Examiner for carefully considering this application.

Disposition of Claims

Claims 1-30 are pending in this application. Claims 1, 14, 15, 21, 22, and 30 are independent. The remaining claims depend, directly or indirectly, from claims 1, 15, 22. Claims 27-29 have been cancelled in this action without prejudice or disclaimer.

Drawings

The Examiner has failed to accept the drawings filed on October 3, 2001. Applicant respectfully requests the Examiner to indicate whether the filed formal drawings are acceptable.

Objection(s)

Applicant has cancelled claims 27-29 because as the Examiner indicated the claims are repetitive. Accordingly, the Examiner's objections to these claims are now moot and withdrawal of this objection is respectfully requested.

Rejection(s) under 35 U.S.C § 102

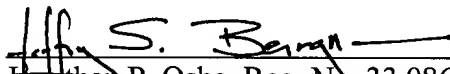
Claims 1-30 stand rejected under 35 U.S.C. § 102 (a) as anticipated by Wilson et al., "The whiteboard: Tracking usability issues: to bug or not to bug?" ("Wilson"). Wilson is not valid prior art to this application. As evidenced by the attached declaration under 37 C.F.R. § 1.131, the present invention was conceived prior to the effective § 102 (a) date of Wilson, and constructively reduced to practice with due diligence exercised by the inventors. Further, claims 27-29 have been cancelled by the Applicant, so the rejection is moot as to those claims. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 16159.027001).

Respectfully submitted,

Date: 11/3/04

 45,925
Jonathan P. Osha, Reg. No. 33,986
OSHA & MAY L.L.P.
One Houston Center, Suite 2800
1221 McKinney Street
Houston, TX 77010
Telephone: (713) 228-8600
Facsimile: (713) 228-8778

79082_1